


UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLORADO
U.S. CUSTOM HOUSE
721 NINETEENTH STREET, FIFTH FLOOR
DENVER, COLORADO 80202-2508

HOWARD R. TALLMAN
BANKRUPTCY JUDGE

TO: Members of the Bar
FROM: Local Rules Revision Committee (LRRC) 
DATE: November 12, 2004
RE: Ideas and Concepts for Local Rules

Ladies and Gentlemen:

Attached are the program materials for attendees at the Fourth Annual Bench Bar Retreat, to be held on Saturday, November 20, 2004 from 7:30 A.M. to 12:30 P.M. at the Embassy Suites, 1881 Curtis Street, Denver, Colorado. The attached lists are:

1. List of Possible Rules Ideas - includes a listing of all ideas and concepts developed by the LRRC;
2. Discussion of Selected Proposed Rule Concepts - includes a more-detailed treatment, to the extent possible, of some major concepts or areas; and
3. Chapter 13 General Procedure Order.

The lists are a compilation of suggestions for the purposes of stimulating and focusing the discussions at the Bench Bar Retreat, and with the exception of the pending Chapter 13 rule revisions incorporated into the new General Procedure Order, none of these ideas have yet to be endorsed by the LRRC or the Court. Copies of these materials will be available at the Retreat. However,

ATTENDEES ARE ENCOURAGED TO PRINT OUT AND REVIEW THE LISTS AND GPO IN ADVANCE AND TO BRING A COPY OF THE BANKRUPTCY CODE, RULES AND/OR CURRENT LOCAL RULES TO THE RETREAT.

The LRRC is presently in a "brain-storming" phase to come up with ideas and concepts on how to clarify or supplement existing rules and to develop new rules to address perceived needs. Our initial goal has been to develop prioritized lists of possible rule suggestions for discussion at this year's Bench/Bar Retreat. The lists seek to 1) identify each of the suggested rule ideas; 2) describe the current problem, if any, it would address; 3) summarize how the rule concept would operate to make things easier for attorneys or the Clerk's Office; and 4) to the extent possible, provide any alternative solutions or suggested rule language obtained from researching the local rules of other Districts.

However, this process should not be done in a vacuum. Your input is important and appreciated. It is anticipated that by having the lists and the GPO in advance of the Retreat, the Bar attendees and the Judges will be better prepared to consider the LRRC's ideas for suggested rules and to submit their own suggestions for additional rules or improvements to the lists. For example, if you are aware of a rule or rules from other districts that you believe may work well in our District too, please bring a copy with you to give to an LRRC member. Based upon that input, the LRRC, and additional volunteers as necessary, will then begin the task of completing the research and drafting of the recommended language for proposed new local rules to be considered by the Judges and the Bar before being finalized.

We cannot fix a problem unless we know about it. Those of you who are affected by the day-to-day operation of the Local Rules are in the best position to know how they are working from the Bar's perspective. Your continued interest and input should allow us to start thinking "strategically" about our Rules -- how they are working, what fixes are needed, and what on-going process will allow us to make systematic, periodic revisions when necessary.

Thank you all in advance for your consideration and involvement in this important task. If your schedule will not allow you to attend the Retreat, we would still like to receive any Rule ideas or concepts you may suggest, by having you send a brief note to the attention of Brad Bolton at the Bankruptcy Court. Working cooperatively in this effort will benefit not only the Court and Clerk's Office, but those with whom we work each day. We are looking forward to hearing your ideas and suggestions.